

NOTICE OF INTENT

Proposed

110 Grill

—•—
MODERN • FRESH • INNOVATIVE

**1165 & 1175 Main Street
Assessor's Map #638, Block 8, Lots #1 & 2
City of Haverhill, Massachusetts
Essex County**

October 24, 2016

Owner:

Tawa's Realty Trust & JJambs, LLC
1175 Main Street
Haverhill, MA 01830

Applicant:

Ryan Development, LLC
4 Lan Drive
Westford, MA 01886

Prepared By:

Bohler Engineering
352 Turnpike Road
Southborough, MA 01772

BEPC Project No. W161155

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NOTICE OF INTENT (WPA FORM 3)



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

WPA Form 3 – Notice of Intent

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

MassDEP File Number

Document Transaction Number

Haverhill
City/Town

Important:
When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Note:
Before completing this form consult your local Conservation Commission regarding any municipal bylaw or ordinance.

A. General Information

1. Project Location (**Note:** electronic filers will click on button to locate project site):

1165 & 1175 Main Street

a. Street Address

Haverhill

b. City/Town

01830

c. Zip Code

Latitude and Longitude:

42° 48' 35" N

d. Latitude

71° 06' 08" W

e. Longitude

Map 638, Block 8

f. Assessors Map/Plat Number

Lots 1 & 2

g. Parcel /Lot Number

2. Applicant:

Ryan Development, LLC

a. First Name

b. Last Name

c. Organization

4 Lan Drive

d. Street Address

Westford

e. City/Town

MA

f. State

01886

g. Zip Code

978-692-9450

h. Phone Number

i. Fax Number

rwalker@raventures.net

j. Email Address

3. Property owner (required if different from applicant):



Check if more than one owner

Tawa's Realty Trust & JJambs, LLC

a. First Name

b. Last Name

c. Organization

1175 Main Street

d. Street Address

Haverhill

e. City/Town

MA

f. State

01830

g. Zip Code

h. Phone Number

i. Fax Number

j. Email address

4. Representative (if any):

Randy

a. First Name

Miron

b. Last Name

Bohler Engineering

c. Company

352 Turnpike Road

d. Street Address

Southborough

e. City/Town

MA

f. State

01776

g. Zip Code

508-480-9900

h. Phone Number

508-480-9080

i. Fax Number

rmiron@bohlereng.com

j. Email address

5. Total WPA Fee Paid (from NOI Wetland Fee Transmittal Form):

\$1,050

a. Total Fee Paid

\$512.50

b. State Fee Paid

\$537.50

c. City/Town Fee Paid



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Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP:

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City/Town

A. General Information (continued)

6. General Project Description:

Redevelopment of an existing commercial lot. Construction of a new '110 Grill' Restaurant (5,800 sf +/-) with associated parking lot, stormwater management, utilities and landscaping.

7a. Project Type Checklist: (Limited Project Types see Section A. 7b.)

- | | |
|---|---|
| 1. <input type="checkbox"/> Single Family Home | 2. <input type="checkbox"/> Residential Subdivision |
| 3. <input checked="" type="checkbox"/> Commercial/Industrial | 4. <input type="checkbox"/> Dock/Pier |
| 5. <input type="checkbox"/> Utilities | 6. <input type="checkbox"/> Coastal engineering Structure |
| 7. <input type="checkbox"/> Agriculture (e.g., cranberries, forestry) | 8. <input type="checkbox"/> Transportation |
| 9. <input type="checkbox"/> Other | |

7b. Is any portion of the proposed activity eligible to be treated as a limited project (including Ecological Restoration Limited Project) subject to 310 CMR 10.24 (coastal) or 310 CMR 10.53 (inland)?

1. ☐ Yes ☒ No If yes, describe which limited project applies to this project. (See 310 CMR 10.24 and 10.53 for a complete list and description of limited project types)

2. Limited Project Type

If the proposed activity is eligible to be treated as an Ecological Restoration Limited Project (310 CMR 10.24(8), 310 CMR 10.53(4)), complete and attach Appendix A: Ecological Restoration Limited Project Checklist and Signed Certification.

8. Property recorded at the Registry of Deeds for:

Essex County

a. County
25438

c. Book

b. Certificate # (if registered land)
168

d. Page Number

B. Buffer Zone & Resource Area Impacts (temporary & permanent)

1. ☒ Buffer Zone Only – Check if the project is located only in the Buffer Zone of a Bordering Vegetated Wetland, Inland Bank, or Coastal Resource Area.
2. ☐ Inland Resource Areas (see 310 CMR 10.54-10.58; if not applicable, go to Section B.3, Coastal Resource Areas).

Check all that apply below. Attach narrative and any supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

For all projects affecting other Resource Areas, please attach a narrative explaining how the resource area was delineated.

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
a. <input type="checkbox"/> Bank	1. linear feet	2. linear feet
b. <input type="checkbox"/> Bordering Vegetated Wetland	1. square feet	2. square feet
c. <input type="checkbox"/> Land Under Waterbodies and Waterways	1. square feet	2. square feet
	3. cubic yards dredged	

Resource Area	Size of Proposed Alteration	Proposed Replacement (if any)
d. <input type="checkbox"/> Bordering Land Subject to Flooding	1. square feet	2. square feet
	3. cubic feet of flood storage lost	4. cubic feet replaced
e. <input type="checkbox"/> Isolated Land Subject to Flooding	1. square feet	
	2. cubic feet of flood storage lost	3. cubic feet replaced

f. ☐ Riverfront Area

1. Name of Waterway (if available) - **specify coastal or inland**

2. Width of Riverfront Area (check one):

☐ 25 ft. - Designated Densely Developed Areas only

☐ 100 ft. - New agricultural projects only

☐ 200 ft. - All other projects

3. Total area of Riverfront Area on the site of the proposed project: _____ square feet

4. Proposed alteration of the Riverfront Area:

a. total square feet _____ b. square feet within 100 ft. _____ c. square feet between 100 ft. and 200 ft. _____

5. Has an alternatives analysis been done and is it attached to this NOI? ☐ Yes ☐ No

6. Was the lot where the activity is proposed created prior to August 1, 1996? ☐ Yes ☐ No

3. ☐ Coastal Resource Areas: (See 310 CMR 10.25-10.35)

Note: for coastal riverfront areas, please complete **Section B.2.f.** above.



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B. Buffer Zone & Resource Area Impacts (temporary & permanent) (cont'd)

Check all that apply below. Attach narrative and supporting documentation describing how the project will meet all performance standards for each of the resource areas altered, including standards requiring consideration of alternative project design or location.

Online Users:
Include your
document
transaction
number
(provided on your
receipt page)
with all
supplementary
information you
submit to the
Department.

<u>Resource Area</u>	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
a. <input type="checkbox"/> Designated Port Areas	Indicate size under Land Under the Ocean, below	
b. <input type="checkbox"/> Land Under the Ocean	<u>1. square feet</u>	
	<u>2. cubic yards dredged</u>	
c. <input type="checkbox"/> Barrier Beach	Indicate size under Coastal Beaches and/or Coastal Dunes below	
d. <input type="checkbox"/> Coastal Beaches	<u>1. square feet</u>	<u>2. cubic yards beach nourishment</u>
e. <input type="checkbox"/> Coastal Dunes	<u>1. square feet</u>	<u>2. cubic yards dune nourishment</u>
	<u>Size of Proposed Alteration</u>	<u>Proposed Replacement (if any)</u>
f. <input type="checkbox"/> Coastal Banks	<u>1. linear feet</u>	
g. <input type="checkbox"/> Rocky Intertidal Shores	<u>1. square feet</u>	
h. <input type="checkbox"/> Salt Marshes	<u>1. square feet</u>	<u>2. sq ft restoration, rehab., creation</u>
i. <input type="checkbox"/> Land Under Salt Ponds	<u>1. square feet</u>	
	<u>2. cubic yards dredged</u>	
j. <input type="checkbox"/> Land Containing Shellfish	<u>1. square feet</u>	
k. <input type="checkbox"/> Fish Runs	Indicate size under Coastal Banks, inland Bank, Land Under the Ocean, and/or inland Land Under Waterbodies and Waterways, above	
	<u>1. cubic yards dredged</u>	
l. <input type="checkbox"/> Land Subject to Coastal Storm Flowage	<u>1. square feet</u>	
4. <input type="checkbox"/> Restoration/Enhancement	If the project is for the purpose of restoring or enhancing a wetland resource area in addition to the square footage that has been entered in Section B.2.b or B.3.h above, please enter the additional amount here.	
	<u>a. square feet of BVW</u>	<u>b. square feet of Salt Marsh</u>
5. <input type="checkbox"/> Project Involves Stream Crossings		
	<u>a. number of new stream crossings</u>	<u>b. number of replacement stream crossings</u>



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C. Other Applicable Standards and Requirements

- ☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section C and complete Appendix A: Ecological Restoration Limited Project Checklists – Required Actions (310 CMR 10.11).

Streamlined Massachusetts Endangered Species Act/Wetlands Protection Act Review

1. Is any portion of the proposed project located in **Estimated Habitat of Rare Wildlife** as indicated on the most recent Estimated Habitat Map of State-Listed Rare Wetland Wildlife published by the Natural Heritage and Endangered Species Program (NHESP)? To view habitat maps, see the *Massachusetts Natural Heritage Atlas* or go to http://maps.massgis.state.ma.us/PRI_EST_HAB/viewer.htm.

a. ☐ Yes ☒ No

If yes, include proof of mailing or hand delivery of NOI to:

2008 NHESP
Mapping

Natural Heritage and Endangered Species Program
Division of Fisheries and Wildlife
1 Rabbit Hill Road
Westborough, MA 01581

b. Date of map

If yes, the project is also subject to Massachusetts Endangered Species Act (MESA) review (321 CMR 10.18). To qualify for a streamlined, 30-day, MESA/Wetlands Protection Act review, please complete Section C.1.c, and include requested materials with this Notice of Intent (NOI); *OR* complete Section C.2.f, if applicable. *If MESA supplemental information is not included with the NOI, by completing Section 1 of this form, the NHESP will require a separate MESA filing which may take up to 90 days to review (unless noted exceptions in Section 2 apply, see below).*

c. Submit Supplemental Information for Endangered Species Review*

1. ☐ Percentage/acreage of property to be altered:
- (a) within wetland Resource Area _____ percentage/acreage
- (b) outside Resource Area _____ percentage/acreage
2. ☐ Assessor's Map or right-of-way plan of site
2. ☐ Project plans for entire project site, including wetland resource areas and areas outside of wetlands jurisdiction, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work **
- (a) ☐ Project description (including description of impacts outside of wetland resource area & buffer zone)
- (b) ☐ Photographs representative of the site

* Some projects **not** in Estimated Habitat may be located in Priority Habitat, and require NHESP review (see <http://www.mass.gov/eea/agencies/dfg/dfw/natural-heritage/regulatory-review/>). Priority Habitat includes habitat for state-listed plants and strictly upland species not protected by the Wetlands Protection Act.

** MESA projects may not be segmented (321 CMR 10.16). The applicant must disclose full development plans even if such plans are not required as part of the Notice of Intent process.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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C. Other Applicable Standards and Requirements (cont'd)

- (c) ☐ MESA filing fee (fee information available at http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_fee_schedule.htm). Make check payable to "Commonwealth of Massachusetts - NHESP" and **mail to NHESP** at above address

Projects altering 10 or more acres of land, also submit:

- (d) ☐ Vegetation cover type map of site
- (e) ☐ Project plans showing Priority & Estimated Habitat boundaries
- (f) OR Check One of the Following
1. ☐ Project is exempt from MESA review.
Attach applicant letter indicating which MESA exemption applies. (See 321 CMR 10.14, http://www.mass.gov/dfwele/dfw/nhosp/regulatory_review/ mesa/ mesa_exemptions.htm; the NOI must still be sent to NHESP if the project is within estimated habitat pursuant to 310 CMR 10.37 and 10.59.)
2. ☐ Separate MESA review ongoing. a. NHESP Tracking # b. Date submitted to NHESP
3. ☐ Separate MESA review completed.
Include copy of NHESP "no Take" determination or valid Conservation & Management Permit with approved plan.
3. For coastal projects only, is any portion of the proposed project located below the mean high water line or in a fish run?
- a. ☒ Not applicable – project is in inland resource area only b. ☐ Yes ☐ No

If yes, include proof of mailing, hand delivery, or electronic delivery of NOI to either:

South Shore - Cohasset to Rhode Island border, and the Cape & Islands:

Division of Marine Fisheries -
Southeast Marine Fisheries Station
Attn: Environmental Reviewer
1213 Purchase Street – 3rd Floor
New Bedford, MA 02740-6694
Email: DMF.EnvReview-South@state.ma.us

North Shore - Hull to New Hampshire border:

Division of Marine Fisheries -
North Shore Office
Attn: Environmental Reviewer
30 Emerson Avenue
Gloucester, MA 01930
Email: DMF.EnvReview-North@state.ma.us

Also if yes, the project may require a Chapter 91 license. For coastal towns in the Northeast Region, please contact MassDEP's Boston Office. For coastal towns in the Southeast Region, please contact MassDEP's Southeast Regional Office.



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C. Other Applicable Standards and Requirements (cont'd)

Online Users:

Include your document transaction number (provided on your receipt page) with all supplementary information you submit to the Department.

4. Is any portion of the proposed project within an Area of Critical Environmental Concern (ACEC)?

a. ☐ Yes ☒ No

If yes, provide name of ACEC (see instructions to WPA Form 3 or MassDEP Website for ACEC locations). **Note:** electronic filers click on Website.

b. ACEC

5. Is any portion of the proposed project within an area designated as an Outstanding Resource Water (ORW) as designated in the Massachusetts Surface Water Quality Standards, 314 CMR 4.00?

a. ☐ Yes ☒ No

6. Is any portion of the site subject to a Wetlands Restriction Order under the Inland Wetlands Restriction Act (M.G.L. c. 131, § 40A) or the Coastal Wetlands Restriction Act (M.G.L. c. 130, § 105)?

a. ☐ Yes ☒ No

7. Is this project subject to provisions of the MassDEP Stormwater Management Standards?

a. ☒ Yes. Attach a copy of the Stormwater Report as required by the Stormwater Management Standards per 310 CMR 10.05(6)(k)-(q) and check if:

1. ☒ Applying for Low Impact Development (LID) site design credits (as described in Stormwater Management Handbook Vol. 2, Chapter 3)
2. ☒ A portion of the site constitutes redevelopment
3. ☒ Proprietary BMPs are included in the Stormwater Management System.

b. ☐ No. Check why the project is exempt:

1. ☐ Single-family house
2. ☐ Emergency road repair
3. ☐ Small Residential Subdivision (less than or equal to 4 single-family houses or less than or equal to 4 units in multi-family housing project) with no discharge to Critical Areas.

D. Additional Information

☐ This is a proposal for an Ecological Restoration Limited Project. Skip Section D and complete Appendix A: Ecological Restoration Notice of Intent – Minimum Required Documents (310 CMR 10.12).

Applicants must include the following with this Notice of Intent (NOI). See instructions for details.

Online Users: Attach the document transaction number (provided on your receipt page) for any of the following information you submit to the Department.

1. ☒ USGS or other map of the area (along with a narrative description, if necessary) containing sufficient information for the Conservation Commission and the Department to locate the site. (Electronic filers may omit this item.)
2. ☒ Plans identifying the location of proposed activities (including activities proposed to serve as a Bordering Vegetated Wetland [BVW] replication area or other mitigating measure) relative to the boundaries of each affected resource area.



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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D. Additional Information (cont'd)

3. ☒ Identify the method for BVW and other resource area boundary delineations (MassDEP BVW Field Data Form(s), Determination of Applicability, Order of Resource Area Delineation, etc.), and attach documentation of the methodology.

4. ☒ List the titles and dates for all plans and other materials submitted with this NOI.

Site Development Plans

a. Plan Title

Bohler Engineering

Josh Swerling

b. Prepared By

10/19/16

c. Signed and Stamped by

1"=20'

d. Final Revision Date

e. Scale

Stormwater Drainage Summary Report

10/20/16

f. Additional Plan or Document Title

g. Date

5. ☐ If there is more than one property owner, please attach a list of these property owners not listed on this form.
6. ☐ Attach proof of mailing for Natural Heritage and Endangered Species Program, if needed.
7. ☐ Attach proof of mailing for Massachusetts Division of Marine Fisheries, if needed.
8. ☒ Attach NOI Wetland Fee Transmittal Form
9. ☒ Attach Stormwater Report, if needed.

E. Fees

1. ☐ Fee Exempt: No filing fee shall be assessed for projects of any city, town, county, or district of the Commonwealth, federally recognized Indian tribe housing authority, municipal housing authority, or the Massachusetts Bay Transportation Authority.

Applicants must submit the following information (in addition to pages 1 and 2 of the NOI Wetland Fee Transmittal Form) to confirm fee payment:

23685

2. Municipal Check Number

10/24/16

3. Check date

23684

4. State Check Number

10/24/16

5. Check date

Ryan Development

6. Payor name on check: First Name

7. Payor name on check: Last Name



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands

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F. Signatures and Submittal Requirements

I hereby certify under the penalties of perjury that the foregoing Notice of Intent and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge. I understand that the Conservation Commission will place notification of this Notice in a local newspaper at the expense of the applicant in accordance with the wetlands regulations, 310 CMR 10.05(5)(a).

I further certify under penalties of perjury that all abutters were notified of this application, pursuant to the requirements of M.G.L. c. 131, § 40. Notice must be made by Certificate of Mailing or in writing by hand delivery or certified mail (return receipt requested) to all abutters within 100 feet of the property line of the project location.

1. Signature of Applicant

2. Date

3. Signature of Property Owner (if different)

4. Date

5. Signature of Representative (if any)

6. Date

For Conservation Commission:

Two copies of the completed Notice of Intent (Form 3), including supporting plans and documents, two copies of the NOI Wetland Fee Transmittal Form, and the city/town fee payment, to the Conservation Commission by certified mail or hand delivery.

For MassDEP:

One copy of the completed Notice of Intent (Form 3), including supporting plans and documents, one copy of the NOI Wetland Fee Transmittal Form, and a **copy** of the state fee payment to the MassDEP Regional Office (see Instructions) by certified mail or hand delivery.

Other:

If the applicant has checked the "yes" box in any part of Section C, Item 3, above, refer to that section and the Instructions for additional submittal requirements.

The original and copies must be sent simultaneously. Failure by the applicant to send copies in a timely manner may result in dismissal of the Notice of Intent.

HCC FORM 3 – NOTICE OF INTENT LOCAL
APPLICATION FORM



City of Haverhill Conservation Commission

HCC Form 3 – Notice of Intent Local Application Form

A. STATUTE APPLICABILITY

This application is being filed with the Commission in accordance with the following (check all that apply):

- ☒ Massachusetts Wetlands Protection Act, M.G.L. Chapter 131, Section 40
- ☒ Haverhill Municipal Ordinance Chapter 253

B. GENERAL INFORMATION

Applicant Ryan Development, LLC
Property Owner JJams, LLC & Tawa's Realty Corp.
Representative Randy Miron
Location (Street Address) 1165 & 1175 Main Street
Assessor's Parcel Identification Map 638, Block 8, Lots 1 & 2

C. APPLICATION CHECKLIST

The Commission requires the submittal of this original, completed Form; ten (10) paper copies of site plans; and one (1) paper copy of all other materials. Additionally, the Commission requires the submittal of individual PDFs of this Form and all listed application materials. If practical, related items may be combined into a single PDF. PDFs should not mix larger format sheets (e.g. site plans) with smaller sheets (e.g. letters). These submittal requirements also apply to supplemental information provided during the public hearing. The following materials shall be submitted with this form (check all that apply):

- ☒ Completed, current WPA Form 3, 3A, or 4 and NOI Wetland Fee Transmittal Form
- ☒ Project Narrative with description of resource areas & delineation methodology and demonstration of compliance with pertinent Performance Standards
- ☒ Construction Period Pollution Prevention and Erosion and Sedimentation Control Plan
- ☒ Site Plans clearly describing the location and nature of the work, including such information as site boundaries, wetlands, topography, existing and proposed conditions, vegetation cover, soils, erosion & sedimentation controls, Title 5 compliance, flood storage calculations...(24" x 36" max. sheet size)
- ☒ MassDEP Bordering Vegetated Wetland Delineation Field Data Forms, as appropriate
- ☐ Wetland Resource Area Impact Mitigation Plan prepared in accordance with MA Inland Wetland Replication Guidelines, if applicable
- ☐ Demonstration of compliance with MA River & Stream Crossing Standards, if applicable (The HCC applies the General Standards to all resource area crossings for wildlife passage.)
- ☐ Simplified or Detailed Wildlife Habitat Evaluation (Appendix A or B), if applicable (See "MA Wildlife Habitat Protection Guidance for Inland Wetlands")
- ☒ Demonstration of compliance with MA Stormwater Management Standards, including but not limited to
 - ☒ Stormwater Report with pertinent calculations based on NOAA Atlas 14 rainfall data
 - ☒ Checklist for Stormwater Report
 - ☒ Long-Term Pollution Prevention Plan
 - ☒ Operation and Maintenance Plan
 - ☒ Illicit Discharge Compliance Statement

City Hall Room 300 • 4 Summer Street • Haverhill, MA 01830 • www.cityofhaverhill.org



City of Haverhill Conservation Commission

HCC Form 3 – Notice of Intent Local Application Form

- ☒ 8½" x 11" sections of the following maps with project location clearly identified
- ☒ USGS Quadrangle
 - ☒ MassGIS Orthophoto
 - ☒ City of Haverhill Parcel ID Map, also identifying properties within 300' of subject property
 - ☒ NRCS Soils Map and Resource Report
 - ☐ FEMA Flood Insurance Rate Map, if applicable
 - ☐ MA NHESP Estimated Habitats of Rare Wildlife and Priority Habitats of Rare Species, if applicable
 - ☐ MassDEP/UMass-Amherst Habitat of Potential Regional or Statewide Importance, if applicable
 - ☐ Proof of NOI filing with the MA Natural Heritage & Endangered Species Program, if applicable
 - ☒ Appropriate Filing Fees, payable to the City of Haverhill, under the Act and Ordinance
 - ☐ Other: _____

D. LOCAL PERMIT DOCUMENTATION

In accordance with 310 CMR 10.05(4)(e), list all obtainable permits, variances, and approvals required by local ordinance with respect to the proposed activity and status of same: _____

Site Plan Approval - Application Filed; ZBA Finding Request & Special Permit - Application Filed.

E. APPLICATION CERTIFICATION

I have read the Department of Environmental Protection's "Instructions for Completing Application" and the City's Municipal Ordinance under Chapter 253, with all applicable regulations and policies, for the filing of this application with the Haverhill Conservation Commission and agree to its terms and conditions, as amended. I understand the submitted NOI, its plans, and all its supporting materials are public records and may be uploaded to the City's website for public review. As required by the Commission, the wetland resource area(s) are flagged, the corners of proposed structures are staked, and the centerline of proposed roadway(s) and/or driveway(s) are marked, as appropriate, to facilitate site inspections by Commissioners and Conservation Staff.

Signed: _____

(APPLICANT)

11/2/16
(DATE)

F. SITE ACCESS ACKNOWLEDGEMENT

I hereby grant the Haverhill Conservation Commission and its officials permission to enter upon my property at 1165 & 1175 Main Street, Map 638, Block 8, Lots 1 & 2 to review the filed Notice of Intent and

(STREET ADDRESS AND ASSESSOR'S PARCEL ID)

future site conditions for compliance with the issued Order of Conditions. The sole purpose of this acknowledgement is to allow the Commission and its officials to perform their duties under the Massachusetts Wetlands Protection Act and the City's wetlands protection ordinance.

Signed: _____

City Hall Room 300 4 Summer Street • Haverhill, MA 01830 • www.cityofhaverhill.org

FILING FEE DOCUMENTATION

- **Wetland Fee Transmittal Form**
- **Copy of Application Fee Checks**
- **Local Ordinance Fee Calculation Form**



Massachusetts Department of Environmental Protection
Bureau of Resource Protection - Wetlands
NOI Wetland Fee Transmittal Form
Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Applicant Information

1. Location of Project:

1165 & 1175 Main Street

a. Street Address

Haverhill

b. City/Town

23684

c. Check number

\$512.50

d. Fee amount

2. Applicant Mailing Address:

Robert

a. First Name

Walker

b. Last Name

Ryan Development, LLC

c. Organization

4 Lan Drive

d. Mailing Address

Westford

e. City/Town

MA

f. State

01886

g. Zip Code

978-692-9450

h. Phone Number

i. Fax Number

rwalker@raventures.net

j. Email Address

3. Property Owner (if different):

Tawa's Realty Trust & JJAMBS, LLC

a. First Name

b. Last Name

c. Organization

1175 Main Street

d. Mailing Address

Haverhill

e. City/Town

MA

f. State

01830

g. Zip Code

h. Phone Number

i. Fax Number

j. Email Address

B. Fees

Fee should be calculated using the following process & worksheet. **Please see Instructions before filling out worksheet.**

Step 1/Type of Activity: Describe each type of activity that will occur in wetland resource area and buffer zone.

Step 2/Number of Activities: Identify the number of each type of activity.

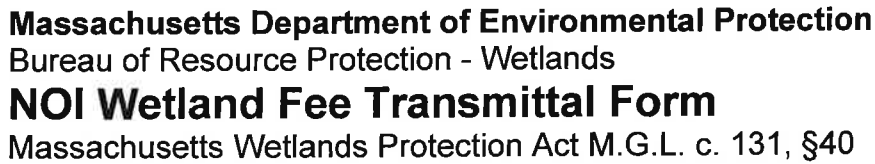
Step 3/Individual Activity Fee: Identify each activity fee from the six project categories listed in the instructions.

Step 4/Subtotal Activity Fee: Multiply the number of activities (identified in Step 2) times the fee per category (identified in Step 3) to reach a subtotal fee amount. Note: If any of these activities are in a Riverfront Area in addition to another Resource Area or the Buffer Zone, the fee per activity should be multiplied by 1.5 and then added to the subtotal amount.

Step 5/Total Project Fee: Determine the total project fee by adding the subtotal amounts from Step 4.

Step 6/Fee Payments: To calculate the state share of the fee, divide the total fee in half and subtract \$12.50. To calculate the city/town share of the fee, divide the total fee in half and add \$12.50.

To calculate filing fees, refer to the category fee list and examples in the instructions for filling out WPA Form 3 (Notice of Intent).



Step 1/Type of Activity	Step 2/Number of Activities	Step 3/Individual Activity Fee	Step 4/Subtotal Activity Fee
3b. Building including site	1	\$1,050.00	\$1,050.00
Step 5/Total Project Fee:			\$1,050.00

	\$1,050.00
Total Project Fee:	a. Total Fee from Step 5
	\$512.50
My share of filing Fee:	b. 1/2 Total Fee less \$12.50
	\$537.50
My share of filling Fee:	c. 1/2 Total Fee plus \$12.50

a.) Complete pages 1 and 2 and send with a check or money order for the state share of the fee, payable to the Commonwealth of Massachusetts.

b.) **To the Conservation Commission:** Send the Notice of Intent or Abbreviated Notice of Intent; a **copy** of this form; and the city/town fee payment.

Page 2 of 2

RYAN DEVELOPMENT, LLC

23685

DATE	INVOICE NO.	DESCRIPTION	INVOICE AMOUNT	DEDUCTION	BALANCE
10-24-16	102416a	NOI city fee	537.50	.00	537.50
CHECK DATE	CHECK NUMBER	TOTALS			
10-24-16	23685		537.50	.00	537.50

23685

RYAN DEVELOPMENT, LLC

4 LAN DRIVE STE 300
WESTFORD, MA 01886
PH. (978) 692-9450

Middlesex Savings Bank 71
160 LITTLETON RD.
WESTFORD, MA 01886
53-7122/2113

VOID AFTER 90 DAYS

Pay: *****Five hundred thirty-seven dollars and 50 cents

PAY
TO THE
ORDER
OF

City of Haverhill

10-24-16

23685 \$*****537.50

AUTHORIZED SIGNATURE

⑈023685⑈ ⑆211371227⑆ 800006016⑈

RYAN DEVELOPMENT, LLC

23685

Security features. Details on back.



RYAN DEVELOPMENT, LLC

23684

DATE	INVOICE NO.	DESCRIPTION	INVOICE AMOUNT	DEDUCTION	BALANCE
10-24-16	102416	NOI state fee	512.50	.00	512.50
10-24-16		23684	512.50	.00	512.50

RYAN DEVELOPMENT, LLC

4 LAN DRIVE STE 300
WESTFORD, MA 01886
PH. (978) 692-9450

Middlesex Savings Bank 71
160 LITTLETON RD.
WESTFORD, MA 01886
53-7122/2113

VOID AFTER 90 DAYS

Pay: *****Five hundred twelve dollars and 50 cents

PAY
TO THE
ORDER
OF

COMMONWEALTH OF MASS

10-24-16

23684 \$*****512.50

AUTHORIZED SIGNATURE

⑈023684⑈ ⑆211371227⑆ 800006016⑈

RYAN DEVELOPMENT, LLC

23684

Security features. Details on back.





City of Haverhill Conservation Commission

HCC Form 3 – Notice of Intent Local Application Form

I. LOCAL ORDINANCE FEE CALCULATION FORM

ACTIVITY	LOCAL ORDINANCE FEE	# of Activities or Measurement	Subtotal
*Abbrev. Notice of Resource Area Delineation (ANRAD)			
Single Family House Project	\$1/linear foot, first 100'; \$0.50/lf, second 100'; \$0.10/lf, each additional foot		
All Other Projects	***\$1/linear foot, first 1000'; \$0.50/lf, second 1000'; \$0.10/lf, each additional foot		
%*Notices of Intent (NOI)			
Category 1 Activity	\$100		
Category 2 Activity	\$250		
Category 3 Activity	\$525	✓	\$525.00
Category 4 Activity	\$725		
Category 5 Activity	\$2/foot		
Category 6 Activity - If no ANRAD was filed for the project site, then a local Cat. 6 fee must be paid in accordance with the ANRAD fee schedule	See ANRAD fee schedule		
Resource Area Alterations			
Buffer Zone, 75'-100' from resource area boundary	\$0.05 / square foot	10,085 SF	\$504.25
Buffer Zone, 35'-75' from resource area boundary	\$0.10 / square foot	15,246 SF	\$1,524.60
Buffer Zone, 0'-35' from resource area boundary	\$0.25 / square foot	8,136 SF	\$2,034.00
Bordering Vegetated Wetland	\$0.50 / square foot		
Bank	\$5 / linear foot		
Land Under Water	\$0.50 / square foot		
Land Subject to Flooding	\$0.05 / square foot		
Riverfront Area	\$0.05 / square foot		
Riverfront Area with the watershed of a potable water supply	\$0.50 / square foot		
Land within 100' of a Certified Vernal Pool	\$0.25 / square foot		
Local-only Jurisdictional Resource Area	\$0.25 / square foot		
Land within 200' of a potable water supply	\$0.50 / square foot		
ADVERTISING FEE*			\$45
LOCAL ORDINANCE FEE TOTAL			\$4,632.85
For filings resulting from enforcement action, double the Local Ordinance Fee Total			
NOTES:			
*Application is subject to an additional \$45 Local Advertising Fee payable to the City of Haverhill prior to EACH advertising			
***Local Ordinance Fee maximum of \$100, if, when determined necessary by Commission, applicant agrees to ANRAD review by outside consultant under M.G.L. Ch. 44, sec. 53G			
%Local Ordinance Fees for RDA, NOI, & RMOC increase 50% when project is also proposed within a Riverfront Area			
Local Ordinance Fees passed by a 7 – 0 vote of the Commission on October 28, 2010, effective January 1, 2011			

RYAN DEVELOPMENT, LLC

23686

DATE	INVOICE NO.	DESCRIPTION	INVOICE AMOUNT	DEDUCTION	BALANCE
10-24-16	102416b	NOI local fee	4632.85	.00	4632.85
CHECK DATE	CHECK NUMBER	TOTALS			
10-24-16	23686		4632.85	.00	4632.85

23686

RYAN DEVELOPMENT, LLC

4 LAN DRIVE STE 300
WESTFORD, MA 01886
PH. (978) 692-9450

Middlesex Savings Bank 71
160 LITTLETON RD.
WESTFORD, MA 01886
53-7122/2113

VOID AFTER 90 DAYS

Security features. Details on back.



Pay: *****Four thousand six hundred thirty-two dollars and 85 cents

DATE

CHECK NO.

AMOUNT

PAY
TO THE
ORDER
OF

City of Haverhill

10-24-16

23686

\$***4,632.85

AUTHORIZED SIGNATURE

⑈023686⑈ ⑆211371227⑆ 800006016⑈

RYAN DEVELOPMENT, LLC

23686

CHECKLIST FOR STORMWATER REPORT

**(Refer to Stormwater Drainage Report prepared by Bohler Engineering –
Bound Separately)**

NOTIFICATION TO ABUTTERS

- **Affidavit of service**
- **Abutters List**
- **Abutter Notification**



City of Haverhill Conservation Commission

HCC Form 3 – Notice of Intent Local Application Form

(PROPERTY OWNER)

(DATE)

G. AFFIDAVIT OF SERVICE FOR ABUTTER NOTIFICATION

I, Randy Miron, hereby certify under the pains and penalties of perjury that on
(NAME OF PERSON MAKING AFFIDAVIT)

11/3/16 I gave notification to all abutters pursuant to the requirements of the second
(DATE)

paragraph of Massachusetts General Laws Chapter 131, Section 40, the DEP Guide to Abutter Notification dated April 8, 1994, and Haverhill Municipal Ordinance Chapter 253, Section 5 in connection with the following matter:

A Notice of Intent filed under the Massachusetts Wetlands Protection Act and said ordinance by
Ryan Development, LLC with the Haverhill Conservation Commission on
(NAME OF APPLICANT)

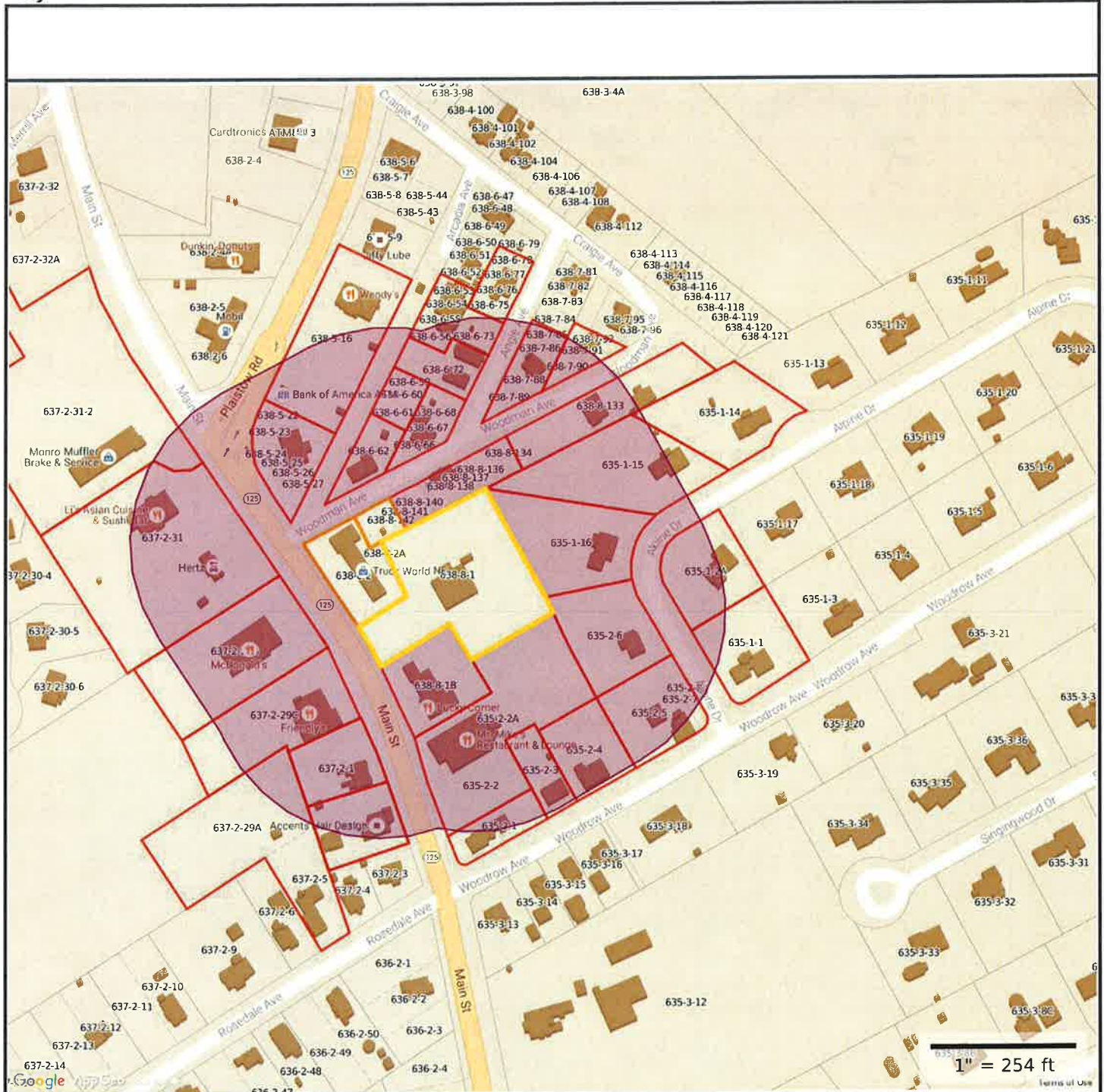
11/3/16 for property located at 1165 & 1175 Main Street / Map #638, Block 8, Lots 1 & 2
(DATE) (STREET ADDRESS AND ASSESSOR'S PARCEL ID)

The list of the abutters to whom the Abutter Notification Form sent, with their addresses and Assessor's parcel identification information that corresponds with the submitted map section, are attached to this application.

Signed:

[Signature]
(NAME OF PERSON MAKING AFFIDAVIT)

11/3/16
(DATE)

**Property Information**

Property ID 638-8-1
Location 1165 MAIN ST
Owner JJAMBS LLC



**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

City of Haverhill, MA makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Parcels updated March 1, 2016
 Properties updated March 1, 2016

Property ID	Site Address	Owner	Owner 2	Owner Address	Owner City	Owner State	Owner Zip
635-1-1	44 WOODROW AVE	CLARK BRADFORD C ETUX	CLARK SUSAN A	44 WOODROW AVE	HAVERHILL	MA	01830
635-1-14	8 ALPINE DR	JACKSON REATA P ETUX	JACKSON ROBERT D	8 ALPINE DR	HAVERHILL	MA	01830
635-1-15	6 ALPINE DR	HANSON JOSEPH R		6 ALPINE DRIVE	HAVERHILL	MA	01830
635-1-16	4 ALPINE DR	FRASCA NEIL J ETUX	FRASCA BARBARA J	4 ALPINE DRIVE	HAVERHILL	MA	01830
635-1-2A	5 ALPINE DR	ALTER DORI A		5 ALPINE DR	HAVERHILL	MA	01830
635-2-1	1137 MAIN ST	GORDON CLIFFORD S ETUX-LF EST	GORDON STEPHEN C	1137 MAIN ST	HAVERHILL	MA	01830
635-2-2A	1149 MAIN ST	DIFEO MICHAEL A JR-LIFE EST.	DIFEO FAMILY REALTY TRUST	10735 FAIRMONT VILLAGE DR	LAKE WORTH	FL	33467
635-2-3	16 WOODROW AVE	HOULE CHRISTOPHER ETAL	LAFEUILLE MICHELLE	16 WOODROW AVE	HAVERHILL	MA	01830
635-2-4	20 WOODROW AVE	MACDONALD JAMES R ETUX	MACDONALD JEAN	22 WOODROW AVE	HAVERHILL	MA	01830
635-2-5	30 WOODROW AVE	SELVAGGIO RONALD N	CARMA F SELVAGGIO	30 WOODROW AVE	HAVERHILL	MA	01830
635-2-6	2 ALPINE DR	HARDER DAVID E	HARDER DONNA A	2 ALPINE DR	HAVERHILL	MA	01830
637-2-29B	1182 MAIN ST	MCDONALDS CORP 020/0197		P O BOX 182571	COLUMBUS	OH	43218
637-2-29C	1160 MAIN ST	O ICE, LLC	ATTN: PORFOLIO MANGMNT #2410	11995 EL CAMINO REAL	SAN DIEGO	CA	92130-2539
637-2-31	1186 MAIN ST	FIRST TEE REALTY TRUST	C/O CHANNEL BUILDING CO.	355 MIDDLESEX AVE	WILMINGTON	MA	01887
637-2-31-2	1194 MAIN ST	MONRO MUFFLER BRAKE, INC		200 HOLLEDER PARKWAY	ROCHESTER	NY	14615
637-2-5	11 ROSEDALE AVE	THE LEWIS REAL ESTATE TRUST	JOAN T LEWIS TRUSTEE	11 ROSEDALE AVE	HAVERHILL	MA	01830
638-5-16	19 PLAISTOW RD	19 PLAISTOW REALTY LLC		8 SQUAW CREEK	HAVERHILL	MA	01830
638-5-22	1183 MAIN ST	M AND N REALTY TRUST	GEORGE M LAMBROU-TRUSTEE	815 SOUTH MAIN ST	BRADFORD	MA	01835
638-6-53	25 ARCADIA AVE	GIURADO DARREN S ETAL	TURNER LESLIE L	25 ARCADIA AV	HAVERHILL	MA	01830
638-6-59	ARCADIA AVE	KELLY ROBIN L		6 TIERRA MONTE ST.NE	ALBUQUERQUE	NM	87122
638-6-62	2 WOODMAN AVE	THE ESTATE OF DANIEL L PASCOE	CRAIG A PASCOE-ADMINISTRATOR	17 FULLER RD	HAVERHILL	MA	01832
638-6-66	14 WOODMAN AVE	BOUCHER MARILYN E		14 WOODMAN AVE	HAVERHILL	MA	01830
638-6-72	6 ANGIE AVE	RAYMOND FAMILY IRREVOCABLE TRUST	SILVA CHRISTIAN R. W.-TRUSTEE	6 ANGIE AV	HAVERHILL	MA	01830
638-6-75	12 ANGIE AVE	SEVIGNY JOSEPH		12 ANGIE AVE	HAVERHILL	MA	01830
638-7-85	7 ANGIE AVE	CONSTANTINE JOHN T JR		7 ANGIE AV	HAVERHILL	MA	01830
638-7-90	26 WOODMAN AVE	FROST RYAN A		26 WOODMAN AVE	HAVERHILL	MA	01830
638-8-133	33 WOODMAN AVE	MARTELL COREY J ETAL	LANOUTTE CAROLINE	33 WOODMAN AV	HAVERHILL	MA	01830
638-8-134	15 WOODMAN AVE	BIBEAU WILLIAM R	BIBEAU DONNA M	15 WOODMAN AVE	HAVERHILL	MA	01830
638-8-1B	1155 MAIN ST	HOTOY REALTY TRUST	CHIN RICHARD TRUSTEE	8765 N W 41ST STREET	COOPER CITY	FL	33024
637-2-1-1	1150 MAIN ST	URSZINYI TIBERIU J ETUX	URSZINYI MIHAELA	1150 MAIN ST	HAVERHILL	MA	01830
637-2-1-2	1152 MAIN ST	GATTINELLA ARLENE		11 SHEPARD AVE	SALEM	NH	03079
637-2-2A	1144 MAIN ST	MASERA TERRY LEE		32 LAKEWOOD TR	HAVERHILL	MA	01830
637-2-2B	1146 MAIN ST	HAYES RICHARD A		1148 MAIN ST	HAVERHILL	MA	01830
637-2-2C	1148 MAIN ST	HAVERHILL BANK		180 MERRIMACK ST	HAVERHILL	MA	01830



City of Haverhill Conservation Commission

HCC Form 3 – Notice of Intent Local Application Form

H. ABUTTER NOTIFICATION FORM

In accordance with the second paragraph of Massachusetts General Laws Chapter 131, Section 40 (the Wetlands Protection Act) and Haverhill Municipal Ordinance Chapter 253, Section 5, you are hereby notified of the following:

1. The name of the applicant is Ryan Development, LLC
2. Brief Project Description: Redevelopment of an existing commercial lot. Construction of a new '110 Grill' Restaurant (5,800 sf +/-) with associated parking lot, stormwater management, utilities, and landscaping
3. The applicant has filed a Notice of Intent ("NOI") with the Haverhill Conservation Commission seeking permission to remove, fill, dredge or alter an Area Subject to Protection Under the Wetlands Protection Act and/or Haverhill Municipal Ordinance Chapter 253 and/or to perform work within the buffer zone of such an Area.
4. The address of the lot where the activity is proposed is 1165 & 1175 Main Street, Map 638, Block 8, Lots 1 & 2
(INCLUDE ASSESSOR'S MAP/BLOCK/LOT)
5. Copies of the NOI may be examined at *the Haverhill Conservation Department Office* between the hours of *8am and 4pm* from *Monday through Friday*. Contact information is below. You may also find helpful application materials on the "Projects Under Review" section of the Commission's website.
6. Copies of the NOI may be obtained from either (check one) the applicant _____, or the applicant's representative ☒, by calling this telephone number (508) 480 - 9900 between the hours of 8:00am and 5:00 pm on the following days of the week Monday-Friday
7. Information regarding the *date, time, and place* of the public hearing may be obtained from the *Haverhill Conservation Department Office* between the hours of *8am and 4pm* from *Monday through Friday*. Contact information is below. You may also consult the "Agenda" section of the Commission's website.

NOTE: Notice of the public hearing, including its date, time and place, will be published at least five (5) days in advance in the *Haverhill Gazette newspaper*.

NOTE: Notice of the public hearing, including its date, time, and place, will be posted in Haverhill City Hall not less than forty-eight (48) hours in advance.

NOTE: You may contact the Haverhill Conservation Department for more information about this application, the Wetlands Protection Act, and Haverhill Municipal Ordinance Chapter 253. Please note the Department has only one staff person; every effort will be made to assist you in a timely manner.

Website: http://www.cityofhaverhill.org/departments/conservation_commission/index.php.

Email: conservation@cityofhaverhill.com

Phone: 978.374.2334

NOTE: For additional information about this application and the Act, you may contact the MA Department of Environmental Protection Northeast Regional Office Service Center.

Website: <http://www.mass.gov/eea/agencies/massdep/about/contacts/northeast-region.html>

Phone: 978.694.3200

City Hall Room 300 • 4 Summer Street • Haverhill, MA 01830 • www.cityofhaverhill.org

PROJECT DESCRIPTION

1. Introduction

This Notice of Intent (NOI) is filed pursuant to G.L. Chapter 131, Section 40, the Massachusetts Wetlands Protection Act (WPA) and its implementing regulations, 310 CMR 10.00, and the City of Haverhill Wetland Protection Ordinance for proposed activities within jurisdictional resource areas. The NOI describes the proposed project and its proposed activities within the 100-foot buffer zone of jurisdictional wetlands.

The proposed project consists of the re-development of two existing parcels of land identified by the Haverhill Assessor's Office as Map #638, Block #8, Lots #1 & 2 and containing approximately 1.70± acres of land. The site was formerly occupied by a retail car business and a restaurant, which have both been vacated. Most (72.8%) of the site is currently covered by impervious surfaces in various states of disrepair. The eastern edge of the property contains wooded land with wetlands located just beyond the existing edge of pavement.

The proposed project will consist of razing the existing buildings on-site and construction a new '110 Grill' Restaurant with associated parking, landscaping, and stormwater management. The new building is a 5,870± square foot (SF) restaurant with a seasonal patio for outdoor seating.

The project site is bounded on the east by mixed commercial uses, and by residential uses to the north and west. At the west is Main Street (a two way-, two-lane right of way under local jurisdiction), with restaurants and a car rental business dominating the commercial uses across the right-of-way. To the south, there are commercial uses consisting of a variety of restaurants. To the east, a mainly wooded area separating the commercial district from a small residential neighborhood. To the west, Woodman Avenue (a two-way, no designated lane right of way under local jurisdiction) and mixed commercial uses (bordering the southern portion of the site) and a residential home (bordering the northern portion of the site). There are wetlands along the northeastern border of the property. Impacts of the proposed design on the on-site resource areas are described below.

Indirect impacts from stormwater discharges are to be mitigated through the use of sedimentation and erosion control measures during construction and implementation of stormwater Best Management Practices that comply with Massachusetts DEP standards. Stormwater management will meet all redevelopment requirements of the current Massachusetts Department of Environmental Protection Stormwater Policy Handbook and the City of Haverhill's requirements for stormwater drainage.

The proposed project will result in a significant decrease in impervious area, and a corresponding increase in groundwater recharge, which will be further increased through the use of bioretention cells on-site. The majority of stormwater generated from the existing site sheet flows uncontrolled to either the bordering wetlands or stormwater structures located on-site and connected to the infrastructure within Main Street. The proposed site conditions

will improve water quality through the use of bioretention areas, deep-sump catch basins, and a water quality unit as well as significantly decrease the overall impervious area on-site.

2. Resource Areas

2.1 Resource Area Evaluation

Wetlands were field delineated by Norse Environmental Services, Inc. on 9/20/16, and a copy of the Wetland Site Investigation Letter is included in Appendix A. The location of protected wetland resource areas are also shown on the enclosed plans prepared by Bohler Engineering.

2.2 Wetlands Resources Impacts

Wetlands resources on site are associated with red maple swamp at the rear of the site (see Wetlands Site Investigation Letter, Appendix A, for additional information).

The onsite wetland resources are further described below:

- **Bordering Vegetated Wetlands (Wet Meadows, Marshes, Swamps, and Bogs)**
- As defined in 310 CMR 10.55(2)(a)&(c) “freshwater wetlands which border on creeks, rivers, streams, ponds, and lakes” and included “types of freshwater wetlands [which] are wet meadows, marshes, swamps, and bogs”. This land surface “...is the line within which 50% or more of the vegetation community consists of wetland indicator plants and saturated or inundated conditions exist.”
No disturbance of the vegetated wetlands is proposed.

Work is proposed only within the 100-foot buffer zones and within the limits of the existing development, with no direct alterations to wetland areas proposed. Portions of the work within the 100-foot buffer includes demolition of existing site features and buildings, as well as construction of the new building, paved parking spaces, pedestrian walkways, and components of the stormwater management system.

It should be noted the entirety of the area being disturbed within the 100-foot buffer zone was previously disturbed when the site was originally constructed.

2.3 Rare Species and Habitats

The Massachusetts Natural Heritage Atlas 13th Edition was consulted and indicates that the entire site is outside of all mapped areas of Estimated Habitat of Rare Wetlands Wildlife or Priority Habitats of Rare Species.

2.4 Locally Restricted Areas

The City of Haverhill Wetlands Protection Ordinance, Chapter 253, establishes a twenty-five (25) foot no-build no-disturbance zone (NBNDZ) as well as a fifty (50) foot no-build zone (NBZ).

There is no new proposed disturbance within the twenty-five (25) foot NBNDZ, and the proposed work is limited to areas previously disturbed.

No additional building structures will be constructed in the NBZ.

Approximately 4,728 SF of the existing paved parking lot is currently located within the twenty-five (25) foot NBNDZ. The entirety of the proposed parking lot layout, including grading and stormwater management measures, will be contained within the footprint of the existing parking lot. Impervious area within the NBNDZ will be decreased by 2,319 square feet (to 2,463 square feet), and no disturbance will occur outside of the existing limits of pavement on-site.

Approximately 13,886 SF of the existing paved parking lot is currently located within the fifty (50) foot NBZ. As mentioned, the proposed parking lot layout is contained within the footprint of the existing parking lot. Impervious area within the NBZ will be decreased by 3,000 square feet to 10,887 square feet. No portion of the building(s), in the existing or proposed condition, is or will be contained within the NBZ.

Proposed construction disturbance located within both the twenty-five (25) foot NBNDZ and the fifty (50) foot NBZ is associated with the demolition and removal of the existing parking area as well as the construction of the new paved parking area, components of the stormwater management system, and construction associated with the building expansion and renovations.

Stormwater Management

The goals of the stormwater management system design were to maintain existing site drainage patterns, mitigate peak post redevelopment rates, and protect the water quality of the receiving waters.

The drainage improvements include collecting stormwater from a portion of the proposed parking area into deep sump catch basin and conveying the stormwater to a water quality device before entering the drainage system within Main Street via a proposed manhole connection. The building will contain a roof-gutter system to collect stormwater generated from roof area and direct it to the drainage system within Main Street via the proposed manhole connection. The remaining portions of the proposed parking surface will sheet flow toward bioretention areas with gravel filter strips and 'sediment forebays.' In addition, stormwater quality will be provided through deep-sump hooded catch basin, water quality unit, and bioretention areas that will significantly enhance the total suspended solids (TSS) removal under post-development conditions.

Please refer to the Stormwater Drainage Report for a breakdown of the Stormwater Management Standards.

3. Alternatives

The proposed project has minimal impacts to on-site wetland resources. The only impacts are associated with grading and construction activities in the wetlands buffer area which has been previously disturbed by impervious areas on the site. Alternatives would be to reduce the scope of the development or to not do anything.

Reducing the project scope would still require minimal grading impacts in order to provide proper erosion controls. Not constructing the project would eliminate the substantial environmental benefits proposed including improvements to water quality from the site and increasing the overall groundwater recharge from the site.

4. Summary

No direct impacts to the BVW are proposed as part of the proposed project. Indirect impacts from stormwater discharges will be mitigated through the use of sedimentation and erosion control measures during construction as well as BMPs and an Operation & Maintenance Plan once the site is fully constructed and stabilized. In addition, Stormwater management will meet the requirements of the current Massachusetts Department of Environmental Protection Stormwater Policy Handbook to the maximum extent practicable and the City of Haverhill's Requirements for Stormwater Drainage.

Site development is proposed in harmony with the City of Haverhill Wetland Protection Bylaws and the DEP Stormwater Management Policy. All runoff from paved areas will be treated for water quality prior to discharging to the stormwater conveyance system within Main Street, which does not occur under the existing conditions.

Impacts to jurisdictional resource areas will be minimal. There will be some temporary disturbance to wetland buffer areas, but the disturbed area will be fully stabilized upon completion of the project.

APPENDIX A

Wetland Site Report



NORSE ENVIRONMENTAL SERVICES, INC.

92 Middlesex Road, Unit 4

Tyngsboro, MA 01879

TEL. (978) 649-9932 • FAX (978) 649-7582

Website: www.norseenvironmental.com

October 28, 2016

Randall Miron
Bohler Engineering
352 Turnpike Road
Southborough, MA 01772

Re: 1165 & 1175 Main Street
Haverhill, MA

Sir;

Norse Environmental Services, Inc. delineated the resource area at the above site on 8/29/16. The bordering vegetated wetland is marked in the field with blue ribbon and aluminum tags numbered 1A-19A. The wetland is a red maple swamp bordering on an intermittent stream channel. The wetland surrounds the perimeter of the property and is located just beyond the pavement. The wetland consists of red maple (*Acer rubrum*) and american elm (*Ulmus Americana*) in the overstory. The understory consist of glossy buckthorn (*Rhamnus franugla*), common winterberry (*Ilex verticillata*) and eastern burning bush (*Euonymus atropurpureus*). The herbaceous layer consists of cinnamon fern (*Osmunda cinnamomea*), sensitive fern (*Onoclea sensibilis*) and similar species.

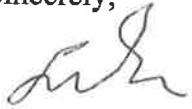
The Web Soil Survey maps the site as a Woodbridge and Wareham soils. The Woodbridge soil consists of nearly level to steep, deep (5+ ft.), moderately well drained soils on drumlins. They formed in compact glacial till. Woodbridge soils have friable fine sandy loam or sandy loam surface soil and subsoil with moderate permeability over a firm, fine sandy loam or sandy loam substratum at 15 to 38 inches which has slow or very slow permeability. Woodbridge soils have a very stony or extremely stony surface except where stones have been removed, and have stones below the surface. They have a perched, seasonal high water table at 18 to 24 inches. Major limitations are related to wetness, slow permeability in the substratum, stoniness and slope.

Wareham soils consist of nearly level and gently sloping, deep (5+ ft.), poorly drained soils on glacial outwash plains, terraces and deltas. They formed in sandy glacial outwash. Wareham soils have very friable or loose loamy fine sand to sand surface soil and subsoil over a very friable or loose stratified sand and gravel substratum at 24 to 36 inches. They have rapid permeability. They have a high water table at 6 to 18 inches for 7 to 9 months of the year. Major limitations are related to wetness.

The Natural Heritage and Endangered Species mapping of the site shows no Estimated and/or Priority Habitat or certified vernal pools. The FIRM mapping shows no flood plain or Bordering Land Subject to Flooding on the site.

If you have any questions or concerns regarding the above information please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read 'SE', is positioned below the word 'Sincerely,'.

Steven Eriksen

DEP Bordering Vegetated Wetland (310 CMR 10.55) Delineation Field Data Form

Applicant: Ryan Development

Prepared by: Steven Eriksen

Project location: 1165 & 1175 Main Street – Haverhill **DEP File #:** _____

Check all that apply:

- ☐ Vegetation alone presumed adequate to delineate BVW boundary: fill out Section I only
- ☒ Vegetation and other indicators of hydrology used to delineate BVW boundary: fill out Sections I and II
- ☐ Method other than dominance test used (attach additional information)

Section I. Vegetation **Observation Plot Number:** SP-1 **Transect Number:** **Date of Delineation:** 8/29/16

A. Sample Layer and Plant Species
(by common/scientific name)

TREES:

B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
20%	67%	Y	Fac*
10%	33%	Y	FacW-*

SHRUBS:

B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
15%	42%	Y	FacU
10%	29%	Y	Fac*
10%	29%	Y	FacW+*

HERBACEOUS:

B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
5%	34%	Y	FacW*
5%	33%	Y	FacW*
5%	33%	Y	FacW-*

*Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.

If vegetation alone is presumed adequate to delineate the BVW boundary, submit this form with the Request for Determination of Applicability or Notice of Intent.
MA DEP-3/95

Vegetation conclusion:

Number of dominant wetland indicator plants: 7 **Number of dominant non-wetland indicator plants:** 1

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? ☒ Yes ☐ No

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? ☒ Yes ☐ No

title/date: Soil Survey Essex County

map number: 32B

soil type mapped: Wareham

hydric soil inclusions:

Are field observations consistent with soil survey? ☒ Yes ☐ No

Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
Ap	0-8"	10YR 2/1	
Bw	8-19"	2.5Y 5/2	

Remarks:

3. Other:

Conclusion: Is soil hydric? ☒ Yes ☐ No

Other Indicators of Hydrology: (check all that apply and describe)

- ☐ Site inundated: _____
- ☐ Depth to free water in observation hole: _____
- ☐ Depth to soil saturation in observation hole: _____
- ☐ Water marks: _____
- ☐ Drift lines: _____
- ☐ Sediment deposits: _____
- ☐ Drainage patterns in BVW: _____
- ☐ Oxidized rhizospheres: _____
- ☐ Water-stained leaves: _____
- ☐ Recorded data (stream, lake, or tidal gauge; aerial photo; other): _____
- ☐ Other: _____

Vegetation and Hydrology Conclusion		
Number of wetland indicator plants		
≥ number of non-wetland indicator plants	yes	no
	X	
Wetland hydrology present:		
Hydric soil present	X	
Other indicators of hydrology present:		
	X	
Sample location is in the BVW		
	X	

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- ☐ Method other than dominance test used (attach additional information)

Section I. Vegetation **Observation Plot Number:** SP-2 **Transect Number:** **Date of Delineation:** 8/29/16

A. Sample Layer and Plant Species (by common/scientific name)	B. Percent Cover (or basal area)	C. Percent Dominance	D. Dominant Plant (yes or no)	E. Wetland Indicator Category*
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TREES:

Red Maple (Acer rubrum)	15%	75%	Y	Fac*
American Elm (Ulmus Americana)	5%	25%	Y	FacW-*

SHRUBS:

Burning-Bush (Euonymus atropurpureus)	10%	40%	Y	FacU
Dogwood (Cornue florida)	10%	40%	Y	FacU-
Glossy Buckthorn (Rhamnus frangula)	5%	20%	Y	Fac*

HERBACEOUS:

Cinnamon Fern (Osmunda cinnamomea)	10%	50%	Y	FacW*
Sensitive Fern (Onoclea sensibilis)	10%	50%	Y	FacW*

*Use an asterisk to mark wetland indicator plants: plant species listed in the Wetlands Protection Act (MGL c.131, s.40); plants in the genus *Sphagnum*; plants listed as FAC, FAC+, FACW-, FACW, FACW+, or OBL; or plants with physiological or morphological adaptations. If any plants are identified as wetland indicator plants due to physiological or morphological adaptations, describe the adaptation next to the asterisk.
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 MA DEP:3/95

Vegetation conclusion:

Number of dominant wetland indicator plants: 5 **Number of dominant non-wetland indicator plants:** 2

Is the number of dominant wetland plants equal to or greater than the number of dominant non-wetland plants? ☒ **Yes** ☐ **No**

Section II. Indicators of Hydrology

Hydric Soil Interpretation

1. Soil Survey

Is there a published soil survey for this site? ☒ Yes ☐ No

title/date: Soil Survey Essex County

map number: 32B

soil type mapped: Wareham

hydric soil inclusions:

Are field observations consistent with soil survey? ☒ Yes ☐ No

Remarks:

2. Soil Description

Horizon	Depth	Matrix Color	Mottles Color
Ap	0-9"	10 YR 2/2	
Bw	9-18"	10 YR 4/4	

Remarks:

3. Other:

Conclusion: Is soil hydric? ☐ Yes ☒ No

Other Indicators of Hydrology: (check all that apply and describe)

- ☐ Site inundated: _____
- ☐ Depth to free water in observation hole: _____
- ☐ Depth to soil saturation in observation hole: _____
- ☐ Water marks: _____
- ☐ Drift lines: _____
- ☐ Sediment deposits: _____
- ☐ Drainage patterns in BVW: _____
- ☐ Oxidized rhizospheres: _____
- ☐ Water-stained leaves: _____
- ☐ Recorded data (stream, lake, or tidal gauge; aerial photo; other): _____
- ☐ Other: _____

Vegetation and Hydrology Conclusion		
Number of wetland indicator plants	yes	no
≥ number of non-wetland indicator plants	X	
Wetland hydrology present: Hydric soil present		X
Other indicators of hydrology present:		X
Sample location is in the BVW		X

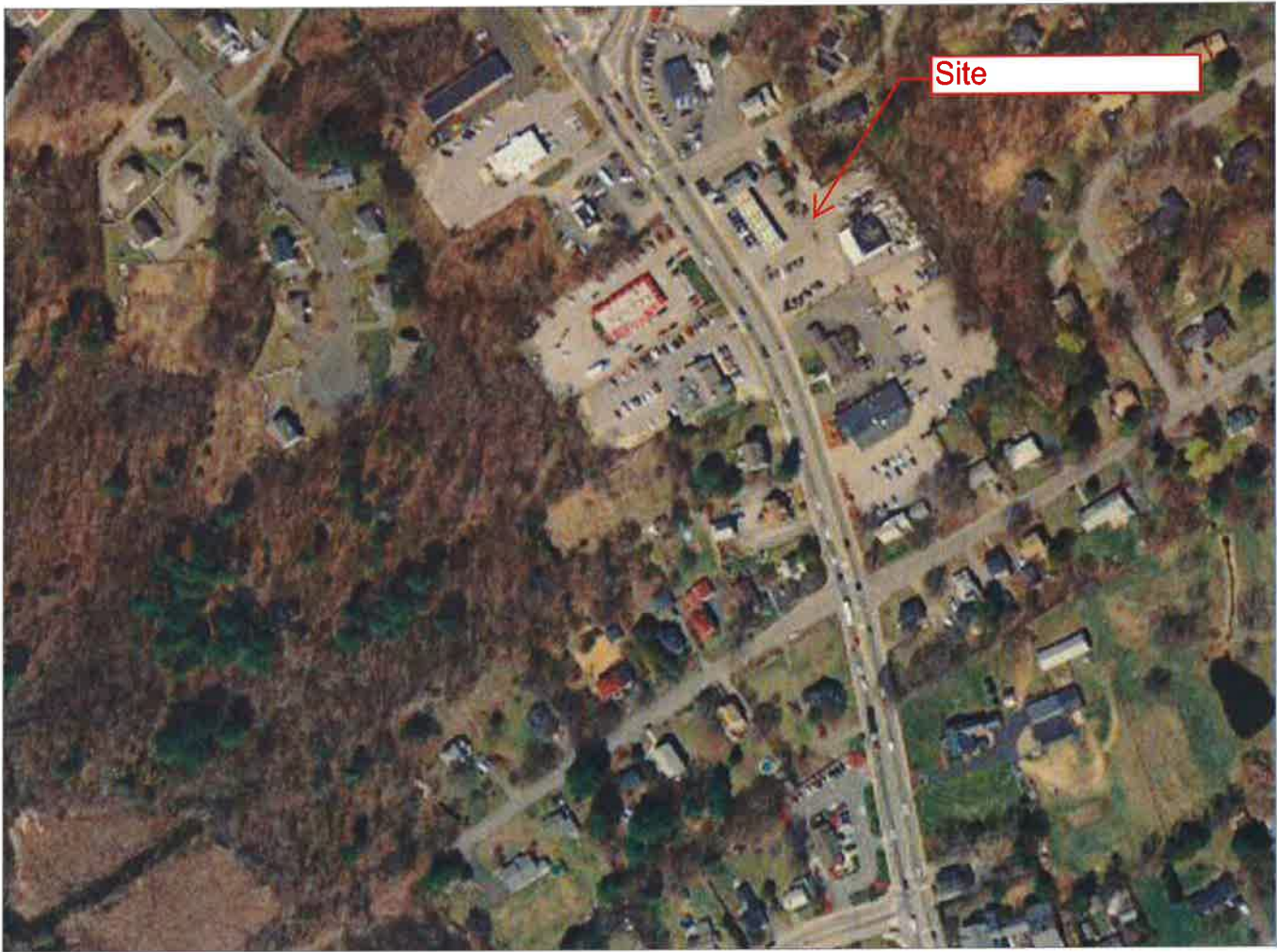
Delineating Boring Vegetated Wetlands

APPENDIX B

MassGIS Ortho Photo

Massachusetts 2013-2014 USGS Color Ortho Imagery

Massachusetts 2013-2014 USGS Color Ortho Imagery Basemap



USGS, MassGIS